

**THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005**  
**AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)**  
**ORDINANCE, 2007**

## **NOTIFICATION OF GRANT OF PLANNING PERMISSION**

**PROPOSALS:** Remove and replant hedge, demolish section of wall and rebuild further north to extend parking area to south-west (front) of property.

**LOCATION:** The Cottage, Hubits De Bas, St. Martin.

**APPLICANT:** Mrs C Cooper

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

**Date of Grant of Permission:** 13/12/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/11/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Block plan (dated 14/10/24) and four Annotated photos (all dated 24/10/24).

**Application Ref:** FULL/2024/1790

**Property Ref:** J002470000

**Conditions and reasons:-**

1.All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2.The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3.The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4.Notwithstanding the detail as shown on the approved block layout plan, this permission does not relate to the planting of a hedge across the existing vehicular access.

Reason - For the avoidance of doubt.

**Expiry Date: This permission will cease to have effect on 13/12/2027 unless development is commenced by that date.**

#### **ADVICE AND OTHER REMARKS:-**

##### **Effect of planning permission:**

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

(1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).

(2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.

(3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

**Right of appeal against planning decisions:**

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at [www.gov.gg/planningpanel](http://www.gov.gg/planningpanel) and must be completed with all enclosures in multiples as requested and received within the six months deadline.

**Copy of representations made:**

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

**Other Remarks:**

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services ([highways@gov.gg](mailto:highways@gov.gg)) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

**This document is not a Building Licence and confers no approval under the Building Regulations.**

**A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.**

**A J ROWLES**

Director of Planning

Planning Service



**PLANNING APPLICATION REPORT**

**Application No:** FULL/2024/1790  
**Property Ref:** J002470000  
**Valid date:** 13/11/2024  
**Location:** The Cottage Hubits De Bas St. Martin Guernsey GY4 6NB  
**Proposal:** Remove and replant hedge, demolish section of wall and rebuild further north to extend parking area to south-west (front) of property.  
  
**Applicant:** Mrs C Cooper

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

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Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

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Reason - For the avoidance of doubt.

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## **OFFICER'S REPORT**

### **Brief Description of the site:**

The property known as 'The Cottage' is a pre-1900's cottage which was extended in around 2005, the dwelling is set back from and faces southwest onto Hubits de Bas, there are neighbouring properties to the north and southeast and there is an open agricultural field across the road to the southeast. The property is located Outside of the Centres and within a Conservation Area as defined in the Island Development Plan.

### **Relevant History:**

A pre-application earlier in the year.

### **Existing Use(s):**

Residential use class 1: dwelling house.

### **Assessment:** *(Tick as appropriate)*

|                     |                                     |
|---------------------|-------------------------------------|
| no representation   | <input checked="" type="checkbox"/> |
| accords with policy | <input checked="" type="checkbox"/> |
| within curtilage    | <input checked="" type="checkbox"/> |
| design acceptable   | <input checked="" type="checkbox"/> |

|                              |                                     |
|------------------------------|-------------------------------------|
| visual amenity acceptable    | <input checked="" type="checkbox"/> |
| no material neighbour impact | <input checked="" type="checkbox"/> |
| traffic not affected         | <input checked="" type="checkbox"/> |

### **Policies considered most relevant:**

GP4: Conservation Areas

GP8: Design

GP13: Householder Development

### **Conclusion/Brief comment:**

This application is to remove the existing leylandii roadside hedge (to be replaced with griselinia hedge) demolish the return wall to the northwest of the driveway and rebuild the wall and reinstate the gate in line with the end of the north elevation of

the property to line up with the end of the front façade. The roadside wall and vehicular access will remain unaltered, however the amount of space to park vehicles on site will increase. A discrepancy has been noted on the block layout plan, as shown the proposed hedge would block the driveway, however when read with the associated photographs and following a site visit it is clear that, as stated above, the driveway will remain unaltered. A note has been added to the application drawing to this effect.

Removing the rather thick leylandii hedge is considered appropriate. The replacement griselinia, although not a native species, will offer more biodiversity than the existing leylandii and is therefore considered acceptable.

The enlarged parking area will be paved with the same permeable paving to match the existing (which is considered exempt works).

The proposals achieve a good standard of design, and are not considered to have a detrimental effect on the character and amenity of the surrounding conservation area, nor will they have any impact on either of the immediate neighbours.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

**Recommendation:**

Grant with Conditions



**Date:** 13/12/2024